



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,807	12/22/2000	John B. Abjanic	42390P9672	9053

8791 7590 05/27/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
----------	--------------

2141

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,807

Applicant(s)

ABJANIC ET AL.

Examiner

Le H Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-16,18-21 and 23-31 is/are pending in the application.
4a) Of the above claim(s) 11-16,18-20,30 and 31 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2,4-10,21 and 23-29 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 12/18/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Art Unit: 2141

1. Claims 1-2, 4-10, 21, and 23-29 are presented for examination.
2. Applicant's election without traverse of claims 1-2, 4-10, 21, and 23-29 in the reply filed on 03/04/2005 is acknowledged.
3. Applicant is requested to formally cancel non-elected claims 11-16, 18-20, and 30-31.
4. Examiner withdraws the objection of the specification, the objections and claims 5, 15-16, and the rejections of claims 36-37 under 35 USC 112 second paragraph due to applicant's amendment filed on 09/17/2004.
5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-2, 4-10, 21, and 23-29 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ankireddipally et al. (Ankireddipally) patent no. 6,772,216.

7. As to claim 1, Ankireddipally teaches the invention as claimed, including an apparatus comprising:

a transformer to transform a message from a first format to a second format (col. 12 lines 4-21; col. 17 lines 23-60; col. 24 lines 16-38);

a switch to switch the transformed message to a selected processing node (col. 11 lines 24-40; col. 14 lines 13-25); and

a message director coupled to the transformer and the switch, the message director to make a switching decision for the message based upon application data in the message, and then to output the switching decision to the switch (col. 11 lines 24-40; col. 14 lines 13-25).

Art Unit: 2141

8. As to claim 2, Ankireddipally teaches a transforming switch (Figure 1, Commerce Exchange Server 10).

9. As to claims 4-5, Ankireddipally teaches wherein the transformer selects a transformation template to transform the message based on one or more of the following in the message matching a predetermined pattern or value: an address and/or port number in the message; a request line or an identification of an application to process a portion of the message; a root element or a root tag or other information that describes the content of the message; a validation template or a reference to a validation template; one or more XML tags; and business transaction information; and wherein the validation template comprises either a Document Type Definition (DTD) or a schema (col. 15 line 59 - col. 16 line 10).

10. As to claim 6, Ankireddipally teaches a transforming switch coupled between a network and a plurality of servers or processing nodes (Figure 1).

11. As to claims 7-8, Ankireddipally teaches the transformer transforms the message from a first XML format to a second XML format, or transforms the message from one or more of the following: HTML to XML; XML to HTML; XML to EDI; EDI to XML; XML to ASCII flat file; ASCII flat file to XML; ASCII flat file to EDI; and EDI to ASCII flat file (col. 12 lines 4-63; col. 17 lines 23-60; col. 24 lines 16-38).

Art Unit: 2141

12. As to claim 9, Ankireddipally teaches a security accelerator to encrypt and/or decrypt messages (col. 4 line 26 - col. 5 line 17).

13. As to claim 10, Ankireddipally teaches a validator coupled to the transformer to validate received messages based on one or more validation templates (col. 20 lines 9-25).

14. Claims 21, and 23-29 have similar limitations as claims 1-2, and 4-10; therefore, they are rejected under the same rationale.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

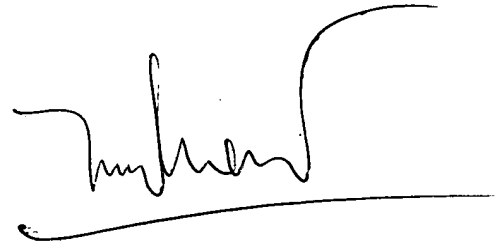
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Application/Control Number: 09/741,807

Page 6

Art Unit: 2141

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER

May 19, 2005